(c) and (d) As regards disciplinary jurisdiction over the staff deputed for election duty, recently the Government of India and the Election Commission of India have agreed to settle the matter and have made a joint application to the Supreme Court indicating terms of settlement by which certain powers are proposed to be given to the Election Commission. So far as implementation of Model Code of Conduct, the matter is under discussion with the Election Commission.

Conflict between EC and Government

†1805. SHRI RAMA SHANKER KAUSHIK:
PROF. RAM GOPAL YADAV:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether there is a conflict between Election Commission and Government regarding control on election personnel; and

(b) if so, the stand and decision of Government on the matter?

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING AND THE MINISTER OF STATE OF THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) and (b) There is no conflict between the present Government and the Election Commission of India as such. In 1993, the Election Commission of India had filed the Civil Writ Petition No. 606/93 against the Union of India and others, seeking a verdict on the plea that the disciplinary powers in respect of the staff deputed for election work rest with the election Commission in accordance with the provisions contained in Section 13CC of the Representation of the People Act, 1950 and section 28A of the Representation of the People Act, 1951 read with article 324 of the Constitution so that the Election Commission may have the necessary legal and administrative powers to take action against officials connected with revision of electoral rolls and conduct of elections. [The stand of the Government was that disciplinary powers in respect of the staff deputed for election work couldn't be given to the Election Commission of India.] Recently, the Government of India and the Election Commission of India have agreed to amicably settle the matter and have made a joint application to the Supreme Court indicating terms of settlement by which certain powers are proposed to be given to the Election Commission in this matter.

Adequate representation to SC/ST

1806. SHRI R. N. ARYA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

†Original notice of the question was received in Hindi.